

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MONSANTO COMPANY and)	
MONSANTO TECHNOLOGY LLC,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
E.I. DUPONT DE NEMOURS AND)	Case No. 4:09-cv-00686-ERW
COMPANY and PIONEER HI-BRED)	
INTERNATIONAL, INC.,)	
)	
Defendants.)	

**PLAINTIFFS' MOTION FOR LEAVE TO FILE BRIEF
IN EXCESS OF FIFTEEN PAGES**

Plaintiffs, Monsanto Company and Monsanto Technology LLC (collectively “Monsanto”), respectfully request the Court grant leave for Monsanto to file its Reply in Support of Monsanto’s Motion to Strike Testimony of Dr. Louis P. Berneman, containing approximately 18 pages and an appendix.

In support, Monsanto states that the additional few pages are necessary to address how the Court’s December 21, 2011 Memorandum and Order sanctioning Defendants for a fraud on the Court (issued after Monsanto filed its opening brief) impacts Dr. Berneman’s testimony and Monsanto’s motion to strike that testimony. More specifically, the additional pages are needed to address the numerous instances where Defendants continue to offer Dr. Berneman’s testimony in support of claims that this Court recently held were fraudulent. The brief is not repetitious, and Monsanto respectfully requests that this motion be granted.

Dated: January 23, 2012

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 23rd day of January, 2012, the foregoing was filed electronically with the Clerk of the Court for the United States District Court for the Eastern District of Missouri, Eastern Division, and was served by operation of that Court's electronic filing system, upon the following:

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